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existing boundary monuments nor impede access for their maintenance. The USIBWC requires that all structures be off-set from the international boundary by a minimum of two feet, maintain a clear line-of-sight between affected boundary monuments, and maintain a 10-foot off-set around each boundary monument.

Proposed construction activities should not change historic surface runoff characteristics at the international border. This requirement is intended to ensure that development in one country will not cause damage to lands or resources in the other country. Engineering drawings and supporting calculations, which demonstrate the proposed activities and construction will not change historic surface runoff characteristics, must be provided for review and approval prior to beginning work. The proponent must properly maintain structures constructed along the international boundary and address any liability issues related to the proposed activities.

The USIBWC requires that final engineering drawings be submitted to the USIBWC for review and approval prior to beginning the proposed electrical transmission line and related facilities construction. These drawings must show the location of each component in relation to the international boundary and the boundary monuments. Plans for construction should be submitted to the USIBWC as soon as possible.

Project information including plans should also be submitted to the Mexican Section of the International Boundary and Water Commission in Ciudad Juarez, Chihuahua, Mexico by project proponents in Mexico. The proponent should verify that coordination with proper authorities in Mexico is complete prior to construction. The USIBWC may verify that proper coordination with Mexico is complete. Proposed projects in Mexico must be reviewed by the appropriate agencies in Mexico and be constructed in accordance with Mexican laws.

On page 5-9 of the DEIS the discussion of the Total Maximum Daily Load program the last sentence should state "discharging to the watershed within California." Water quality criteria for discharges to the New River in Mexico are established by legislation in force in that country.

On page 5-14 the DEIS indicates the primary purpose of the proposed projects is to transfer electrical energy from new natural gas-fired electric power generation plants to the power grids in southern California. The proposed power plant projects in Mexico will involve the construction and operation of wastewater treatment plants which discharge effluent for use in the facility cooling system. Those cooling systems discharge to drainages that flow to the New River in Mexico. The original Environmental Assessment (EA) considered transboundary impacts to air quality but did not consider transboundary impacts to water quality. The DEIS has defined the construction and operation of the related power plant projects and wastewater plants in Mexico as within the region of influence and as reasonably foreseeable actions. The USIBWC concurs with this approach. Air quality impacts to the Salton Sea Air basin were evaluated. Impacts to water quality in the New River and Salton Sea were evaluated.

The prior EA discussed the cooperative efforts of the United States and Mexico through the International Boundary and Water Commission (IBWC), in Minute Nos. 261, 264 and 294 to address water quality concerns for the New River. The DEIS does include this discussion. Under Minute

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INTERNATIONAL BOUNDARY AND WATER COMMISSION  
UNITED STATES AND MEXICO

JUL 30 2004

OFFICE OF THE COMMISSIONER  
UNITED STATES SECTION

Ms. Ellen Russell  
U.S. Department of Energy  
Office of Fossil Energy  
Mail Code FE-27  
1000 Independence Avenue, SW  
Washington D.C. 20585-0301

Re: Draft Environmental Impact Statement for the Imperial-Mexicali 230-kV Transmission Lines (DOE/EIS-0365), Presidential Permits, Baja California Power, Inc. and Sempra Energy Resources

Dear Ms. Russell:

The United States Section of the International Boundary and Water Commission (USIBWC) appreciates the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the Imperial-Mexicali 230 kV Transmission Lines (DOE/EIS-0365) provided with your May 6, 2004 letter. The DEIS was prepared from the viewpoint that the transmission lines were not constructed. We offer the following comments from the same viewpoint for the proposed action.

The USIBWC understands that the proposed project is for the construction and operation of two parallel electrical transmission lines in California and Baja California which will provide electrical service to customers in the southwestern United States and northern Mexico. We understand that the project proponents, Baja California Power, Inc. (BCP) and Sempra Energy Resources (SER), are seeking authorization to construct, operate, and maintain electrical transmission facilities in both the United States and Mexico to import electrical energy to southern California. Though the routing of these lines is parallel, each company is independently seeking the required approvals for its respective project and is requesting a Presidential Permit for works which cross the international boundary. Each of the new systems will have the capacity to carry 230 kilovolts (kV) from proposed power generation facilities in Mexicali, Baja California to the Imperial Valley Substation. Each proposed project includes the construction and operation of approximately 6 miles of transmission line in the United States and 3 miles in Mexico.

The USIBWC has a duty to access, maintain, and utilize the international boundary monuments along the United States/Mexico international land boundary. The USIBWC is charged with these duties through treaties and international agreements between the United States and Mexico. We require that the proposed works, related facilities, and related facilities associated with the BCP and SER electrical transmission lines (i.e. laterals, overhead and buried electrical power transmission lines, pipelines, and new power plants) not affect the permanence (disturb the foundations) of

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No. 264, Mexico has the obligation to ensure that flows in the New River meet established water quality standards at the international boundary. The proponent should evaluate the impact of the cooling system discharges on efforts by agencies in Mexico to comply with these New River water quality standards at the international boundary.

Thank you for the opportunity to provide comments on the proposed projects. Please continue keeping us informed of the presidential permit process, and submit related information, public meeting notices, to my attention, and provide copies to our Yuma Project Manager, Mr. Al Goff, at P.O. Box 5737, Yuma, Arizona 85364, and our San Ysidro Project Manager, Mr. Dion McMichaux, at 2225 Diary Mart Road, San Ysidro, California 92173. If you have any questions regarding this information, please call me at (915) 832-4740.

Sincerely,

  
Sylvia A. Waggoner  
Division Engineer  
Environmental Management Division

CC:

Mr. Stephen J. Gallogly, Director  
International Energy and Commodities Policy  
U.S. Department of State  
Washington, DC 20520

Mr. Dennis Linskey  
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CC electronically to:

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(cont.)

## Document 0018

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July 30, 2004

### By Electronic Mail and Overnight Delivery

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Washington, D.C. 20585-0350  
(202) 586-9624

**Re: Draft EIS for the Imperial - Mexicali 230-kV Transmission Lines**

Dear Ms. Russell:

Enclosed please the comments of Baja California Power, Inc., ("BCP") on the Draft Environmental Impact Statement for the Imperial - Mexicali 230-kV Transmission Lines. If you have any questions, please contact Sean Kiernan of InterGen at (781) 993-3037.

Thank you for your consideration of BCP's comments.

Sincerely,

  
Eric J. Murdock

Counsel for Baja California Power, Inc.

Enclosures

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